

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

HOLLIE TOUPS

VS.

GOOGLE, INC., YAHOO!, INC. AND

WWW.MYEX.COM

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CASE NO. 1:14-cv-0127

PLAINTIFF'S OPPOSED MOTION TO COMPEL MEDIATION, AND
CERTIFICATE OF CONFERENCE

Hollie Toups, Plaintiff herein, files her Opposed Motion to Compel Mediation, and Certificate of Conference, and would respectfully show the Court the following:

1. Plaintiff asserts this cause of action against the remaining Defendants for breach of copyright. Plaintiff has been unable to effectuate service upon www.myex.com. Plaintiff has attempted to work with Google to ensure that her copyrighted images are removed from its search/images function, and Google has removed most of those images, with the exception of one (1) remaining image. Plaintiff believes in good faith that this case should be resolved without the necessity of extensive litigation, and there is apparently miscommunication between the parties regarding

how to resolve this case. Plaintiff requests that this Court appoint a Magistrate Judge to mediate this dispute for a half-day to determine whether this matter can be resolved as between Plaintiff and Google, without the necessity of any further litigation.

2. Defendant Google cannot be harmed by this Court ordering mediation to determine whether this case can be resolved promptly between Touns and Google.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Hollie Touns prays that this Court grant this Opposed Motion to Compel Mediation, and Certificate of Conference, and for such other and further relief, at law or in equity, to which she may be justly entitled.

Respectfully submitted,

/s/ John S. Morgan
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CERTIFICATE OF CONFERENCE

Counsel for Google is opposed to the filing of this Motion.

/s/ John S. Morgan
JOHN S. MORGAN

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been furnished to the following counsel of record, via the Court's electronic filing system on this 11th day of September, 2014:

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